

IN THE UNITED STATES COURT OF APPEALS  
FOR THE FIFTH CIRCUIT

United States Court of Appeals  
Fifth Circuit

**FILED**

July 29, 2008

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No. 06-41291  
Conference Calendar

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Charles R. Fulbruge III  
Clerk

UNITED STATES OF AMERICA,

Plaintiff-Appellee,

v.

ARTURO MARTINEZ-CORPUS,

Defendant-Appellant.

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Appeal from the United States District Court  
for the Southern District of Texas  
USDC No. 5:06-CR-468-1

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ON REMAND FROM THE SUPREME COURT OF THE UNITED STATES

Before JOLLY, BENAVIDES, and STEWART, Circuit Judges.

PER CURIAM:\*

This case returns to us on remand from the Supreme Court of the United States. The Supreme Court vacated our judgment and remanded the case for further consideration in light of *Gall v. United States*, 128 S. Ct. 586 (2007). *Martinez-Corpus v. United States*, 128 S. Ct. 2427 (2008). Accordingly, we

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\* Pursuant to 5TH CIR. R. 47.5, the court has determined that this opinion should not be published and is not precedent except under the limited circumstances set forth in 5TH CIR. R. 47.5.4.

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remand the case to the District Court for the Southern District of Texas for further proceedings not inconsistent with the opinion of the Supreme Court.

VACATED and REMANDED.